

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DUSTIN LEE VITTI TOE,

Defendant.

8:23CR237

ORDER

This matter is before the Court on Defendant's Unopposed Motion to Continue Deadline for Filing Pretrial Motions, (Filing No. 16). For good cause shown, the Court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's Unopposed Motion to Continue Deadline for Filing Pretrial Motions, (Filing No. 16), is granted.
- 2) Pretrial motions shall be filed by January 17, 2024.
- 3) In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between December 18, 2023 and January 17, 2024, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant this motion would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the novelty and complexity of the case. The failure to grant this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 19th day of December, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge